

### **Remarks**

In view of the above amendments and the following remarks, reconsideration and further examination are requested.

A number of editorial amendments have been made to the specification and abstract. It is submitted that no new matter has been added to the application via such amendments.

Further, claims 3, 37, 38 and 42 have been amended to make a number of editorial revisions. These revisions have been made to place the claims in better U.S. form. None of these amendments have been made to narrow the scope of protection of the claims, nor to address issues related to patentability and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

In addition, new claims 43-46 have been added.

Claims 3 and 34-42 have been rejected under 35 U.S.C. 102(e) as being clearly anticipated by Boyd (US 6,599,765).

Claims 3 and 38 have been amended so as to further distinguish the present invention from the reference relied upon in the above-mentioned rejection. As a result, the rejection is submitted to no longer be applicable for the following reasons.

Claim 3 is patentable over Boyd, since claim 3 recites a substrate polishing apparatus including, in part, a polishing table; polishing pad mounted on the polishing table for polishing a semiconductor substrate, the polishing pad having a through hole formed therein; and a protection cover mounted on the polishing table and fitted into the through hole when the polishing pad is attached to the polishing table. Boyd fails to disclose or suggest the protection cover as recited in claim 3.

Boyd discloses a polishing apparatus for polishing a wafer 102. The polishing apparatus has a platen 128 with a hole formed therein. A plurality of fluid delivery extensions 158 and a laser sensor 154 pass through the hole in the platen 128. A window 132 having a raised portion 156 covers the hole in the platen 128 and the fluid delivery extensions 158 pass through the window 132. A polishing pad 120 having a hole therein is located on an upper surface of the platen 128 and an outer periphery of the window 132. The polishing pad 120 is positioned with respect to the window 132 such that the raised portion 156 and the inner side surface of the hole in the polishing pad 120 form a channel whereby fluid can pass between the fluid delivery

extensions 158 while the wafer 102 is being polished on the polishing pad 120. (See column 6, line 53 – column 7, line 31 and Figure 6).

As discussed above, the raised portion 156 of the window 132 and the inner side surface of the hole in the polishing pad 120 for a channel therebetween. Therefore, there necessarily is a gap between the raised portion 156 and the hole in the polishing pad 120. On the other hand, claim 3 recites that the protection cover mounted on the polishing table is fitted into the through hole of the polishing pad when the polishing pad is attached to the polishing table. It is clear that the raised portion 156 of the window 132 is not fitted into the hole in the polishing pad 120 in Boyd. As a result, claim 3 is patentable over Boyd.

As for claim 38, it is patentable over Boyd for reasons similar to those discussed above in support of claim 3. That is, claim 38 recites a polishing apparatus including, in part, a protection cover mounted on a polishing table and fitted into a hole in a polishing pad when the polishing pad is attached to the polishing table, which feature is not disclosed or suggested by the reference.

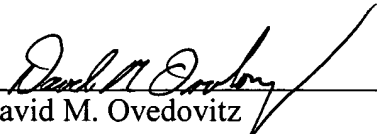
Because of the above-mentioned distinctions, it is believed clear that claims 3 and 34-46 are not anticipated by Boyd. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to modify Boyd or to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 3 and 34-46. Therefore, it is submitted that claims 3 and 34-46 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

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